

Atty. Dkt. No. 041673-2048

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Corbeil, et al.  
Title: VACCINE BASED ON  
ATTENUATED  
HAEMOPHILUS SOMNUS  
Appl. No.: 09/787,964  
Appl. Filing Date: 09/25/1999  
Examiner: Albert Mark Navarro  
Art Unit: 1645

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.

Michelle Simpson

(Printed Name)

Michelle Simpson

(Signature)

September 10, 2003

(Date of Deposit)

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

**RECEIVED**

SEP 17 2003

TECH CENTER 1600/2900

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

- [ X ] Please enter and consider the amendment/reply previously filed on August 21, 2003.
- [ ] Please consider the Affidavit(s)/Declaration(s) previously filed on      but not considered.
- [ ] Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on     .

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☐ Other \_\_\_\_.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☒ Information Disclosure Statement.

☒ Form PTO-1449 with copies of 19 listed reference(s).

☐ Other .

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Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e)							\$750.00		\$750.00
Totl Claims:	11	X	20	=	0	x	\$18.00	=	\$0.00
Independents:	1	X	3	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
							CLAIMS EE TOTAL:	=	\$750.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$750.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$375.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:			\$375.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$375.00. A duplicate copy of this transmittal is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

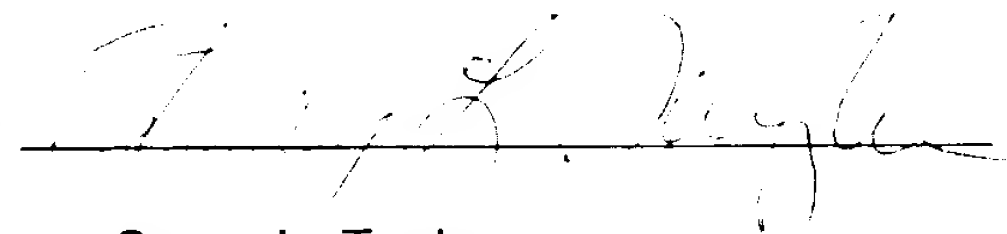
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

6-10-03

By



FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6720  
Facsimile: (858) 792-6773

Stacy L. Taylor  
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Registration No. 34,842